

REMARKS

Reconsideration of this application is respectfully requested. Claims 1-16 are in this application and are presented for the Examiner's consideration in view of the following comments.

Claims 1 to 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,160,545 issued December 12, 2000 to Eyer et al. (*Eyer*) in view of the "Program and System Information Protocol for Terrestrial Broadcast and Cable ", ATSC Standard, Doc. A/65 (*ATSC PSIP*). Applicants respectfully disagree.

For the sake of argument only, Applicants will accept the Examiner's characterization of *Eyer*. However, even with this assumption, the combination of *Eyer* and *ATSC PSIP* does not yield Applicants' claimed invention.

For example, with respect to Applicants' independent claims 1 and 8, these claims require:

a tertiary table hierarchically linked to said secondary table;

Nowhere does either *Eyer*, or *ATSC PSIP* – singly or in combination – describe or suggest a tertiary table hierarchically linked to said secondary table.

With respect to *ATSC PSIP*, Applicants note that the Examiner points to the various Event Information Tables (EITs) of *ATSC PSIP* as a tertiary table hierarchically linked to said secondary table when the EITs shift in time. However, the Examiner is wrong. First, as plainly shown in FIG. 5.1 of *ATSC PSIP* (reproduced below), each EIT is – at best – ONLY a secondary table hierarchically linked to the MGT. There are no hierarchically arranged tertiary tables shown in FIG. 5.1 of *ATSC PSIP*. Indeed, and as plainly shown in FIG. 5.1 of *ATSC PSIP* – no EIT is hierarchically linked to another EIT.

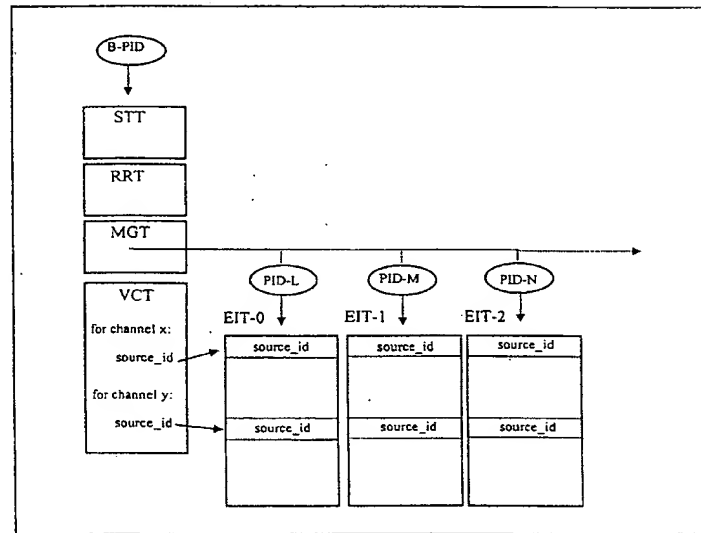


FIG. 5.1 of *ATSC PSIP*

Second, the mere fact that EIT-1 at some point in time becomes known as the *current* EIT-0 by the mere shifting of packet identifier (PID) values does not make EIT-1 hierarchically linked to the *previous* EIT-0. In fact, EIT-0 and EIT-1 deal with separate three hour time intervals. Thus, none of the EITs of *ATSC PSIP* meet the requirement of a tertiary table hierarchically linked to said secondary table as required by Applicants independent claims 1 and 8. Finally, the Examiner's statement that "of course version_number EIT-0 is updated by version number EIT-1 and so on" is wrong. Applicants note that *ATSC PSIP* specifically states the following.

Note that the version_number for EIT-i has no relation with that for EIT-j when j is not equal to i.

ATSC PSIP, p. 31, emphasis added.

Turning now to Applicants' independent claim 6, this claim requires:

partition identifiers assigned to individual partitions of said program guide data, wherein said program guide data partitions are dynamically re-partitionable by re-assignment of said partition identifiers in said partitioning information.

Yet the Examiner has not identified Applicants' required "partition identifier" and, as such, Applicants traverse.

Applicants do note that the Examiner has asserted that *ATSC PSIP* includes partitioning information, "i.e., version_number, assigned PID, coverage (UTC), coverage (EDT)" and that the Examiner points to table D1 on p. 73 of *ATSC PSIP*. However, Applicants respectfully note that the Examiner's assertion is over-reaching. There is no "coverage (UTC)" information or "coverage (EDT)" information in the event information tables. Indeed, according to *ATSC PSIP*:

[s]tart time for EITs are restricted to 0:00 (midnight), 3:00, 6:00, 9:00, 12:00 (noon), 15:00, 18:00 and 21:00. All of these times are UTC.

ATSC PSIP, p. 12, emphasis added.

Thus, in the cited table D1 of *ATSC PSIP*, the columns associated with "coverage (UTC)" and "coverage (EDT)" are not transmitted as asserted by the Examiner – but predefined by *ATSC PSIP*.

Indeed, the Examiner's further citation of the "version_number" and "assigned PID" as partitioning information is also wrong. The "version_number" simply identifies the current version of the table and does not identify partitions. Also, the "assigned PID" identifies the packets that convey the table – yet Applicants' claim 6 requires that the table include a partition identifier. In this case, the Examiner has to show that the "assigned PID" is conveyed as a part of the EIT. Yet, mere reference to the syntax of the EIT as shown on p. 32 of *ATSC PSIP* shows that the EIT does not include an "assigned PID".

In view of the above, the Examiner's identified partition information is incorrect.

In this regard, the Examiner then asserts that this *incorrectly* identified partition information includes:

partition identifiers assigned to individual partitions of said
program guide data, i.e. table D.2 and D.3 of page 75;
Fig. D.5 of page 80

Office Action of June 16, 2006, p. 6.

Yet, neither table D.2 or table D.3 cited by the Examiner show the program guide structure. Table D.2 shows data "to be described" in the VCT and EIT-0 (*ATSC PSIP*, title of table D.2, p. 75). Likewise, table D.3 shows data "to be described" in the VCT and EIT-1 (*ATSC PSIP*, title of table D.3, p. 75). In contrast, Applicants' claim 6 is directed to the program guide structure itself. Similarly, Fig. D.5 on p. 80 of *ATSC PSIP*, merely shows illustrative data for transmission in EIT-0. Applicants request the Examiner identify with particularity the element of the EIT that corresponds to Applicants' claimed "partition identifier" by referring to the EIT as defined on p. 32 of *ATSC PSIP*.

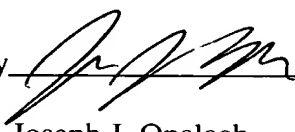
Similar comments apply to Applicants' independent claim 13, which requires "cell numbers."

In view of the above, even if one were to combine *Eyer* and *ATSC PSIP*, this combination does not describe, or suggest, the requirements of Applicants' independent claims 1, 6, 8 and 13. As such, Applicants' respective dependent claims 2-5, 7, 9-12 and 14-16 are also patentable over *Eyer* in view of *ATSC PSIP*. Therefore, Applicants respectfully submit that this rejection of claims 1-16 has been overcome.

As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 07-0832 therefor.

Respectfully submitted
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RCA89400

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August 3, 2006